

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 11/22/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AFTERN SANDERSON,

Plaintiff,

-v-

LEG APPAREL, LLC, et al.,

Defendants.

1:19-cv-8423-GHW

ORDER

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GREGORY H. WOODS, United States District Judge:

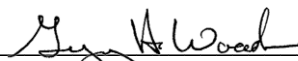
In the joint pretrial order submitted on November 10, 2023, Defendants list Dr. Michael First on their witness list. Dkt. No. 351 at 30. Defendants state that Dr. First will “offer expert opinion on Plaintiff’s claims of emotional distress.” *Id.*

District courts have a “gatekeeping obligation” that “applies to all expert testimony.” *Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 147 (1999). This obligation applies even where, as here, no party has challenged the qualifications of an expert. *See, e.g., Brenord v. Cath. Med. Ctr. of Brooklyn & Queens, Inc.*, 133 F. Supp. 2d 179, 188 (E.D.N.Y. 2001) (evaluating the admissibility of expert testimony sua sponte) (collecting cases). Accordingly, Defendants are ordered to submit to the Court their Fed. R. Civ. P. 26(a) expert disclosures no later than November 24, 2023 to allow the Court to perform this gatekeeping function.

The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: November 22, 2023



GREGORY H. WOODS
United States District Judge